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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,738	10/11/2001	Eric Richer	P14617US2	6531

			EXAMINER
27902	7590	06/01/2005	PHAN, TAM T

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ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/682,738	RICHER ET AL.
		Examiner	Art Unit
		Tam (Jenny) Phan	2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _29 April 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _12-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _12-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _11 October 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

02/14/2005 has been entered.

Priority

2.   This application claims benefit of the provisional application 60/287,734

(05/02/2001).

3.   The effective filing date for the subject matter defined in the pending claims

which has support in parent 60/287,734 in this application is 05/02/2001. Any new

subject mater defined in the claims not previously disclosed in parent 60/287,734, is

entitled to the effective filing date of 10/11/2001.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cowden et al. (WO 00/65773), hereinafter referred to as Cowden, in view of Kim (U.S.

Patent Number 6,546,002), and further in view of Vuoristo et al. (U.S. Patent Number

6,603,969), hereinafter referred to as Vuoristo.

6.   Regarding claim 12, Cowden disclosed a method for updating profiles of a user

in a data communications network comprising a number of entities (Figures 8, 12, 14,

16, 19, and 29), the method comprising the steps of: following an update of at least one

portion of the user's profile in an entity of the user, receiving, in the profile storage, at

least the updated portion of the user's profile from the entity (Figures 1, 8, 12, 19, 29,

32, page 29 lines 15-36, page 31 lines 25-33); storing at least the updated portion of the

user's profile by the profile storage (Figures 8, 29, page 29 lines 15-36, page 31 lines

25-33).

7.   Cowden taught the invention substantially as claimed. However, Cowden did not

expressly teach a method of retrieving by the profile storage the list of all on-line

entities; and sending at least the updated portion of the user's profile to each entity on

the retrieved list [synchronization feature].

8.   Cowden suggested exploration of art and/or provided a reason to modify the

updating profile method with the synchronization feature (page 29 lines 15-19).

9.   Kim disclosed a method of retrieving by the profile storage entities that store the

profile and sending the updated profile to each entity (Figures 3, 7-10, 13-15, column 7

lines 31-43, column 7 line 52-column 8 line 6, column 8 lines 24-31, column 9 lines 38-

46).

10.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify the method of Cowden with the teachings of Kim to

include the synchronization feature in order to save time and effort (Kim, column 3 lines

10-22) since using the synchronization agent system allows user profile, configuration

and settings information to be handled intelligently by network services to export

information between networks (Kim, column 3 lines 10-22). In addition, this would also

enable users to access their profile data using any computer device from any

geographic location so long as they are able to connect to the network (Kim, column 7

lines 18-29).

11.   The combination of Cowden and Kim taught the invention substantially as

claimed. However, the combination of Cowden and Kim did not teach a method of

retrieving by the profile storage a list of all on-line entities and sending at least the

updated portion of the user's profile to each entity on the retrieved list.

12.   Kim suggested exploration of art and/or provided a reason to modify the

combined method of Cowden and Kim with the list of online entities for updating

(column 7 line 52-column 8 line 6, column 9 lines 38-46, column 16 line 66-column 17

line 8).

13.   Vuoristo disclosed a method for updating profiles in a data communications

network comprising a number of entities, among them a profile storage that stores

profiles and for each profile a list of all on-line entities that store the profile of retrieving

by the profile storage the list of all on-line entities and sending at least the updated

portion of the user's profile to each entity on the retrieved list (Figures 3, 5, 7, column 6

lines 16-37, column 8 line 35-column 9 line 6, column 10 lines 7-29, column 11 lines 13-

27).

14.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify the method of combined method of Cowden and Kim with

the teachings of Vuoristo to include send update information to the list of online entities

in order to enable users to use the versatile service profiles comprising all the services

defined for them by the use of which they easily changes e.g. the operation of all

services by changing only a piece of information, or a profile. The users are no longer

have to remember what services the network offers, or which services do not change

when profiles are changed (Vuoristo, column 4 lines 1-12).

15.   Regarding claim 13, Kim disclosed a method for updating a profile further

comprising the steps of: receiving, in the profile storage, from a further user's entity has

gone on-line, a request for modifications done to at least one further portion of the

user's profiles stored by the further entity; and sending from the profile storage to the

further entity that has gone on-line at least the requested portion of the user's profile

(column 7 lines 57-65, column 11 lines 50-61, column 14 lines 39-49).

16.   Regarding claim 14, Cowden, Kim, and Vuoristo disclosed a profile storage in a

data communication network comprising an entity of a user that has updated a user's

profile (Cowden, Figures 8, 12, 14, 16, 19, and 29), the profile storage being capable of:

storing the user's profile, a list of online entities that store the profile; receiving at least

one of portion of the user's profile from the entity (Figures 1, 8, 12, 19, 29, 32, page 29

lines 15-36, page 31 lines 25-33); storing at least the updated portion of the user's

profile (Figure 29, page 29 lines 15-36, page 31 lines 25-33); retrieving the list of on-line

entities that store the user's profile; and sending at least the updated portion of the

user's profile to each entity on the retrieved list (Kim, column 7 lines 31-43, column 7

line 52-column 8 line 6, column 8 lines 24-31, column 9 lines 38-46).

17.   Regarding claim 15, Kim disclosed a profile storage being further capable of:

receiving a request from a further entity of the user that has gone on-line for

modifications done to at least a portion of the user's profiles the further entity stores;

and sending to the further entity that has gone on-line at least the requested portion of

the user's profiles (Kim, column 7 lines 57-65, column 11 lines 50-61, column 14 lines

39-49; Vuoristo, Figures 3, 5, 7, column 6 lines 16-37, column 8 line 35-column 9 line 6,

column 10 lines 7-29, column 11 lines 13-27).

18.   Since all the limitations of the claimed invention were disclosed by the

combination of Cowden, Kim, and Vuoristo, claims 12-15 are rejected.

19.   Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Agarwal et al. (U.S. Patent Number 6,509,910), hereinafter referred to as Agarwal, in

view of LaRue et al. (U.S. Patent Number 6,401,104), hereinafter referred to as LaRue.

20.   Regarding claim 14, Agarwal disclosed a profile storage in a data

communications network comprising an entity of the user that has updated a user's

profile, the profile storage being capable of: storing the user's profiles (Figure 7 sign

724, Figure 15 sign 1540) and, a list of on-line entities that store the profile (Figure 15

DMF User Profile, column 15 line 62-column 16 line 7); receiving at least one updated

portion of the user's profile from the entity (column 11 lines 36-47, column 15 line 62-

column 16 line 7, column 16 lines 55-56); storing at least the updated portion of the

user's profile (column 11 lines 36-47, column 15 line 62-column 16 line 7); retrieving the

list of all on-line entities that store the user's profile (Figure 15 DMF User Profile, column

15 line 62-column 16 line 7, column 16 lines 55-67); and sending share objects to each

entity on the retrieved list (column 16 lines 55-67).

21.   Agarwal taught the invention substantially as claimed. However, Agarwal did not

expressly teach sending at least the *updated portion of the user's profile* to each entity

on the retrieved list.

22.   Agarwal suggested exploration of art and/or provided a reason to modify the

profile storage of Agarwal with the profile synchronization feature (column 16 lines 8-11,

lines 38-67)   •

23.   LaRue disclosed a user data system that sends updated profiles to each entity

on the retrieved list (Title, Abstract, Figures 2A-2B, Figure 5, column 4 lines 10-21, lines

31-42, column 27 lines 28-40).

24.   It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to modify the profile storage of Agarwal with the teachings of

LaRue to include the profile synchronization feature order to enable all the entities to

have the same profile information for common information view (Agarwal, column 16

lines 49-54) since the purpose of synchronizing two, or more than two, datasets is to

update them as necessary with data from one another so that they contain the same or

equivalent data, at least in the portions of the datasets that the user has designated for

synchronization (LaRue, column 10 lines 36-41).

25.   Regarding claim 15, Agarwal disclosed a profile storage being further capable of:

receiving a request from a further entity of the user that has gone on-line for

modifications done to at least a portion of the user's profiles the further entity stores:

and sending to the further entity that has gone on-line the requested profiles (column 16

lines 27-37).

26.   Since all the limitations of the claimed invention were disclosed by the

combination of Agarwal and LaRue, claims 14-15 are rejected.

Response to Arguments

27.   Applicant's arguments with respect to the pending claims have been considered

but are moot in view of the new ground(s) of rejection.

28.   As the rejection reads, Examiner asserts that the combination of these teachings

render the claimed invention obvious.

Conclusion

29.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tam (Jenny) Phan whose telephone number is (571)

272-3930. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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May 23, 2005

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